

January 15, 2008

The Honorable Dennis Abbott, Chairman  
New Hampshire House of Representatives  
Fish and Game Committee  
Legislative Office Building, Room 307  
Concord, New Hampshire 03301

**Re: HB 1411 - relative to information concerning the presence or range of threatened species.**

Dear Chairman Abbott and Members of the Committee:

The Division of Forests and Lands, Department of Resources and Economic Development, supports the amended version of HB 1411 that would change RSA 217-A, the Native Plant Protection Act, to state that “No rule promulgated under the provisions of this chapter shall cause undue interference with normal agriculture or silvicultural practices.” This language is already in RSA 21-A, the Endangered Species Conservation Act.

The Natural Heritage Bureau is one of five Bureaus within the Division of Forests and Lands. The Bureau is directed by RSA 217-A to: 1) collect and analyze data on the status, location, and distribution of rare or declining native plant species and exemplary natural communities in the state, 2) determine whether any species of plant shall be a protected species, and 3) develop and implement measures for the protection, conservation, enhancement, and management of native New Hampshire plants. The Bureau also maintains the list of threatened and endangered species for the New Hampshire Fish and Game Department.

State agencies are required to assist and cooperate with the Natural Heritage Bureau to carry out the purposes of the Native Plant Protection Act. To the extent possible, actions funded or carried out by state agencies should not jeopardize the continued existence of any protected plant species. However, nothing in the Act limits the rights of private property owners to take protected plant species on their own lands. We also receive permission from landowners before entering their land to collect data.

We believe that this amendment is consistent with the objectives of the Native Plant Protection Act, and captures the voluntary spirit of the program when we are working with private forestland owners. Moreover, the amendment provides consistency between the Native Plant Protection Act and the Endangered Species Conservation Act.

Thank you for the opportunity to testify. If we can provide any additional information, please let us know.

Respectfully,

Philip A. Bryce  
Director

cc: George M. Bald, Commissioner, DRED